

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

| | | |
|-------------------|---|---------------------------|
| Alan Chuang, |) | |
| |) | Case No. 3:17-cv-1839-TLW |
| Plaintiff, |) | |
| |) | |
| vs. |) | |
| |) | |
| Ruben Kimyagarov, |) | |
| |) | ORDER |
| Defendant. |) | |
| _____ |) | |

On July 11, 2017, Plaintiff Alan Chuang, (“Plaintiff”) brought this action, *pro se* alleging state law tort claims. ECF No. 1. This matter now comes before the Court for review of the Report and Recommendation (the Report) filed by United States Magistrate Judge Paige Gossett, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2), (D.S.C.). ECF No. 11. In the Report, the Magistrate Judge recommends that the case be dismissed without prejudice pursuant to Fed. R. Civ. P. 41, for failure to prosecute. Objections were due on September 14, 2017, however, Plaintiff failed to file objections or any response to the Report.

This Court is charged with conducting a *de novo* review of any portion of the Magistrate Judge’s Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that Report. 28 U.S.C. § 636. In the absence of objections to the Report, this Court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

The Court has carefully reviewed the Report and relevant filings. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation, ECF No. 11, is **ACCEPTED**, and this case is **DISMISSED** without prejudice and without issuance of service of process pursuant to Federal Rule of Civil Procedure 41 for failure to prosecute. Accordingly, Plaintiff's Motion for Leave to Proceed *in forma pauperis* is deemed **MOOT**. ECF No. 3.

IT IS SO ORDERED.

s/Terry L. Wooten
Chief United States District Judge

July 3, 2018
Columbia, South Carolina